

Remarks

The following is a response to the Office Action dated August 10, 2006.

Per the above amendment, claims 10, 16, 18, 24 and 27 have been amended.

Having now been amended to rid the language objected to by the examiner, it is respectfully submitted that the 35 U.S.C. 112, first paragraph rejection of claims 16 and 24 is now moot.

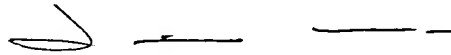
Claims 10, 13, 16, 18, 24 and 26-28 were rejected under 35 U.S.C. 103(a) as being unpatentable over Ferguson et al. (US 7,029,461). In the rejection, the examiner asserts that the "annular space" in Ferguson is shown by the space between lock collar 38 and the needle hub 50. To be sure, there is a space between lock collar 38 and needle hub 50. But that space lies along the longitudinal axis of the device as shown in Fig. 6. Indeed, as shown in the perspective view of Fig. 5, the space is where a pair of arms 54 extend to collar/lock collar (12, 38) from the proximal portion 14 of the safety shield 10 of the Ferguson device. That arm 54 is not shown in Fig. 6 is due to the fact that Fig. 6 is a cross-sectional view of the device, but is disclosed in column 6, lines 26-27. See also Fig. 9 where the needle shield 10 is shown as a stand alone component.

In contrast, for the instant invention, the needle hub is separated from the distal end of the syringe barrel by an annular space. From the drawings, it is clear that such annular space, by definition, circumferentially separates the needle hub from the distal end of the syringe. So that there is no confusion between an annular space and a longitudinal space, claims 10 and 18 each have been amended to recite that a portion of the needle hub is circumferentially separated from the distal end by an annular space. Claim 27 has been amended to recite that the annular space "circumferentially" separates the distal end and the needle hub. There is no disclosure in Ferguson that suggests such annular space. In fact, in addition to not teaching a syringe barrel that

has a unitarily molded needle hub, as admitted to by the examiner, Ferguson also fails to teach or suggest that an annular space that enables the distal end to be compressed toward the needle hub to facilitate the fitting of the collar to the collar reception mechanism, when the collar makes contact with the collar reception mechanism, as set forth in claims 10, 18 and 27. Thus, there are multiple differences between the claimed invention and the prior art.

In light of the foregoing, it is respectfully submitted that the instant invention is patentably distinguishable over the prior art. Accordingly, the examiner is respectfully requested to reconsider the application and to pass the case to issue at an early date.

Respectfully submitted,



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